

**SUPREME COURT MINUTES
THURSDAY, JUNE 26, 2008
SAN FRANCISCO, CALIFORNIA**

S065707**PEOPLE v. PAGE
(TERRANCE CHARLES)**

Opinion filed: Judgment affirmed in full

Opinion by: George, C. J.

-----joined by: Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S125677 B166312 Second Appellate District, Div. 4 **PEOPLE v. TOWNE (SHAWN)**

Opinion filed: Judgment affirmed in full

Majority opinion by: George, C. J.

-----joined by: Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

Concurring opinion by: Kennard, J.

S163352 A114238 First Appellate District, Div. 2 **SANDY (RONALD) v. EXXON
MOBIL CORPORATION**

The time for granting or denying review in the above-entitled matter is hereby extended to August 5, 2008.

S164416 B201082 Second Appellate District, Div. 2 **PEOPLE v. DIAZ (NEFTALI
HUMBERTO)**

Time extended to grant or deny review

The time for granting review on the court's own motion is hereby extended to July 24, 2008, nunc pro tunc as of June 17, 2008. (Cal. Rules of Court, rule 8.512(c).)

S024046**PEOPLE v. O'MALLEY
(JAMES FRANCIS)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Nanette Winaker's representation that she anticipates filing the respondent's brief by May 31, 2009, counsel's request for an extension of time in which to file that brief is granted to August 26, 2008. After that date, only five further extensions totaling about 275 additional days are contemplated.

S030402**PEOPLE v. TULLY
(RICHARD CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel James S. Thomson's representation that he anticipates filing the appellant's reply brief by December 31, 2008, counsel's request for an extension of time in which to file that brief is granted to August 29, 2008. After that date, only two further extensions totaling about 120 additional days will be granted.

S064858**PEOPLE v. SCOTT (ROYCE
LYN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Susan Ten Kwan's representation that she anticipates filing the appellant's reply brief by February 2009, counsel's request for an extension of time in which to file that brief is granted to September 2, 2008. After that date, only three further extensions totaling about 150 additional days are contemplated.

S076340**PEOPLE v. NGUYEN (LAM
THANH)**

Extension of time granted

Good cause appearing, and based upon counsel Richard C. Neuhoff's representation that he anticipates filing the appellant's opening brief by December 2009, counsel's request for an extension of time in which to file that brief is granted to August 26, 2008. After that date, only eight further extensions totaling about 480 additional days will be granted.

S093756**PEOPLE v. WILLIAMS
(COREY LEIGH)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to August 25, 2008.

S099844**PEOPLE v. RAMIREZ (JUAN
VILLA)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to August 25, 2008.

S105908**PEOPLE v. GHOBRIAL
(JOHN SAMUEL)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing the appellant's opening brief by April 2009, counsel's request for an extension of time in which to file that brief is granted to August 26, 2008. After that date, only four further extensions totaling about 240 additional days are contemplated.

S153790**CARTER (DEAN PHILLIP)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Brad D. Levenson's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by February 23, 2009, counsel's request for an extension of time in which to file that document is granted to August 25, 2008. After that date, only three further extensions totaling about 180 additional days are contemplated.

S158105**ATENCIO (RICHARD) ON
H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response to the petition is extended to July 23, 2008.

S162896 H030747 Sixth Appellate District**PEOPLE v. BERGARA
(RUDOLFO HOPE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Danalynn Pritz is hereby appointed to represent appellant on the appeal now pending in this court.

S163326 G036534/G036986/G037172
Fourth Appellate District, Div. 3**MUHAMMAD (ZAKIYYAH)
v. ISLAMIC SOCIETY OF
ORANGE COUNTY**

Order filed

The order filed on June 16, 2008, withdrawing the petition for review is amended to reflect all the Court of Appeal numbers listed above.

S164064**NICHOLS (JOSEPH) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S162989**TAMMEN ON DISCIPLINE**

Recommended discipline imposed

It is ordered that PAUL W. TAMMEN, State Bar No. 153309, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on February 27, 2008. It is also ordered that PAUL W. TAMMEN take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 9.20 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and one-half of said costs be paid with membership fees for the years 2009 and 2010. It is further ordered that if PAUL W. TAMMEN fails to pay any installment of the disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S162990**OSBORNE ON DISCIPLINE**

Recommended discipline imposed

It is ordered that CARL K. OSBORNE, State Bar No. 42340, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for thirty days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed March 5, 2008. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and

are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S162993**CHALLGREN ON
DISCIPLINE**

Recommended discipline imposed

It is ordered that MICHAEL L. CHALLGREN, State Bar No. 137072, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on February 29, 2008. It is further ordered that MICHAEL L. CHALLGREN comply with rule 9.20 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and one-half of said costs be paid with membership fees for the years 2009 and 2010. It is further ordered that if MICHAEL L. CHALLGREN fails to pay any installment of the disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

B199813

Second Appellate District, Div. 3

**CHANG (MYUNG) v.
LEDERMAN (GREGORY)**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Seven.

B200628

Second Appellate District, Div. 7

**AUERBACH (ARTHUR) v.
TRANSAMERICA
OCCIDENTAL LIFE INS. CO.,
ET AL.**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division Three.

B202717 Second Appellate District, Div. 5 **RICKLEY (REBECCA A.) ET AL. v. GOODFRIEND (MARVIN) ET AL.**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division Three.

B203227 Second Appellate District, Div. 3 **CAVALLI (KEVIN) v. CAVALLI (RICHARD ALAN), ET AL.**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Five.

 Fourth Appellate District, Div. 3 **TRANSFER ORDERS**
The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division Three:

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| 1. | E045193 | People v. Rose Avellaneda |
| 2. | E045374 | People v. Ernest Hansen |
| 3. | E045338 | People v. Cade Velarde |
| 4. | E045182 | People v. Herman Chambers |
| 5. | E045055 | People v. Jeremy Carden |
| 6. | E045272 | People v. James Glenn |
| 7. | E045333 | People v. Jesse Gonzales et al. |
| 8. | E045041 | People v. Albert Atlas et al. |